

Minutes
West Lafayette Historic Preservation Commission
Morton Community Center
222 N. Chauncey Avenue
West Lafayette, IN 47906
July 12, 2016

The meeting was called to order at 6:02 pm by Chris Kulesza, President, who presided.

Present: Susan Curtis, Shelley Lowenberg-DeBoer, Chris Kulesza, Linda Martin, Jim Sondgeroth, Arnold Sweet, Kurt Wahl

Absent: Erin Britton, Kelly Busch, Peter Bunder

Chris Kulesza asked if there were any objections to June 14, 2016 minutes. Without any objection, Commission members approved unanimously. President Kulesza asked if there were any objections to the July 6, 2016 COA minutes, without any objections, Commission members approved unanimously.

President Kulesza amended the meeting agenda, asking the Mayor to speak and added 405 River Road and 306 Stadium St. to the agenda. Without objection, Commission members approved of the amended agenda.

Address from Mayor Dennis

Mayor Dennis began to speak about the raised concerns about the perceptions of Phase Two of the ordinance in terms of what the Historic Preservation Commission can and cannot do with residential and non-residential homes in the historic district. Mayor Dennis explained that he met with President Kulesza on these raised concerns and shared his own concerns about upholding the spirit of preservation and how the Commission has been operating. After this meeting, Mayor Dennis felt much at ease. The Mayor spoke about the role the Commission plays in preserving historic representations within the historic neighborhood and stressed that the Commission will not become “centric onium”. He continued by clearing up a false narrative about a “dilapidated” shed and the role the Historic Preservation Commission played in preserving the shed. Mayor Dennis explained that at the end of the process, both the home owner and Commission came to terms about preserving the shed and were happy with the results.

The Mayor moved to discussing the difficulties on getting information to the public and after speaking to President Kulesza, possible solutions to stop the spread of rumors and conjectures. Kulesza reaffirmed Mayor Dennis’ words and mentioned they will be discussing how to communicate better with the community later in the meeting. Kulesza reiterated that the role of the Commission is not to micromanage the district and not to put burden on the homeowner to where they cannot repair their property.

408 Evergreen

Kurt Wahl began with the staff report on this property. The applicant wanted to demolish the garage on the property, which Wahl concurred that the structure is deteriorating, especially the exterior. From Wahl's knowledge, there are no original windows or doors, and not clear when the garage was built and if it is original to the property or not. Wahl recommend to approve the COA to demolish the garage only. Commissioner Sweet reported that the COA was approved to demolish the garage. The owner spoke about the application. He took several pictures to show the deterioration of the structure. The owner also clarified that he does not know when the structure was originally built. With no other questions from the Commission nor comments from the public, President Kulesza moved to vote.

The final vote was 6 yes and 0 no. The Certificate of Appropriateness to approve the demolition of the garage only was approved.

405 North River Road

Mark Bousquet from GJ Gardner Homes spoke about the intentions for this property at North River Road and Robinson Street. The homeowner of 405 North River Road wanted to build a new home on the property. The currently variance of the property is 60 ft. off River Road and 40 ft. off Robinson Street, which means it is difficult to build on this property. Bousquet expressed interest in demolishing the current home and build new. He also expressed that the property has sentimental value to the owner. The current homeowner wants to keep the current structure in some way, whether it be a guest home or gazebo. After Bousquet spoke with the Area Planned Commission and the City of West Lafayette, both parties suggested speaking with the Historic Preservation Commission in regards to guidance for this property. Bousquet mentioned of not seeing any historical significance to the home or property, but will leave that judgment to the Historic Preservation Commission.

Chad Spitznagle, Department of Engineering for the city of West Lafayette, added that there is a current bus stop at the property, so there are safety concerns there. He also mentioned that over time, right-of-way has been taken for expansion of Robinson Street. If the current structure was to be changed to a gazebo, the primary use and the variance would have to be changed, which might not be an issue.

Commissioner Arnold Sweet questioned the difference between a guest home and another house. Bousquet stated that there is not much difference and the property owner would be ok with connecting the current structure to the new home. Commissioner Susan Curtis stated it could be a mother-in-law's courters. Bousquet mentioned that was in the talks as well, with a courtyard in between.

Commissioner Jim Sondgeroth questioned if the intention is to save the current home. Bousquet answered that the homeowner would like to save it. Commissioner Sondgeroth questioned if there were any "green", energy-saving, technologies at this property and what would the cost be to incorporate these technologies. Bousquet stated that the homeowner hired a contractor to

restore the structure and was scammed. The home was gutted and left with the money. There was work on the foundation and a detached garage that is about to fall apart.

Commissioner Curtis questioned if there was any knowledge of when it was originally constructed. From her observations, it appears to have been a simple, traditional design that has had many add-ons. Bousquet spoke about the add-ons. Commissioner Curtis asked if it would make sense to remove the additions and restore it to its original design. Bousquet stated that if it were to become a guest home that would make sense. President Kulesza added that COA's with the intent to restore original structures are what the Commission prefers to approve.

Kurt Wahl mentioned that the new home would need to match the style of the neighboring houses, focusing on the historical characteristics of the other homes. Commissioner Curtis added that the house does not need to match exactly, but "speak the same language". Wahl finished that Engineering would have the final say on what is allowed to happen on the property. Both Commissioners Curtis and Sondgeroth gave resources the contractor could review for this project. Bousquet asked if the Commission would take a look at the property prior to developing plans. Commission agreed that this would be a good idea to walk the property. Bousquet asked to be on the next few agendas to further discuss this property, which President Kulesza saw no issue, which Wahl added any preliminary drawings would be great to review.

306 East Stadium Ave.

Bryan Boudouris, who approached the Commission on behalf of his wife Stephanie, spoke about the history of the car port on this property. On November 17, 2015, Chandler Poole, past Director of Development, contacted Stephanie Boudouris to explain that the COA for their property was approved and for the contractor to contact Chandler Poole. Dr. Boudouris mentioned that the approved plans and diagrams were never sent to Stephanie or himself. Due to travel and hectic schedules, follow-ups fell through.

Chad Spitznagle began to explain the history of the approved building permit and explained that communication fell through and the actual building permit was not issues, per city records in CityView. Spitznagle continued to explain that once he realized no building permit was issues, he made contact with the property owners and explain there were missing detailed that needed to be approved before issuing a building permit. There were conditionals that were approved, but not an approved building permit.

Dr. Boudouris stated that he and his wife felt the whole process involving the Historic Preservation Commission was a black box. Once they realized the design fixes, they felt they were not necessary and did not approve of the design aspect of the fixes.

President Kulesza apologized for the lack of communication between the Commission and the homeowners. He further explained that the design fix was recommended to keep the style of the house consistent with the historic houses nearby and the current style of the house at 306 E. Stadium Ave. Kulesza also stated that the Commission was not dead-set on every aspect of the design fix. Kulesza asked Dr. Boudouris what aspect of the design fix he does not approve of. Dr. Boudouris stated that the design fix would be a substantial financial cost and that the design fix would not have proper drainage.

Due to this issue, the contractor left the project. Kulezsa stated an interest in keeping the slope consistent with the style of the house without a major financial burden.

Dr. Boudouris questioned the background of the Commissioners, as there are many conflicting issues throughout Boudouris' COA process. Commissioner Sondgeroth asked to address this issue, but Dr. Boudouris requested Commissioner Sondgeroth to excuse himself as he may have conflict of interest.

President Kulezsa interjected and stated the small, historic neighborhood should work together. He continued to say that the Commissioner should be able to make a comment. Paulette Smith, who came with Dr. Boudouris, joined the Commissioners at the table.

Commissioner Sondgeroth spoke about the iconic mid-century style of the house and its roots in Germany. Sondgeroth gave examples for reference of the style in Connecticut and Illinois and expressed issue with the roof-line change, as it does not match the style in question. Commissioner Sondgeroth reiterated his disapproval of the roof line change by stating "...like putting a diaper on Michelangelo's David". Commissioner Sondgeroth excused himself and left the meeting.

Pauletta Smith, owner of the oldest home in the district, commented on the house in question. She explained that the house was in total neglect before the Boudouris family wanted to buy it and restore the home. Ms. Smith expressed that the neighborhood wants young families to move to the neighborhood and that the changes to their home does not affect her or her home and that the Boudouris "they have been picked on". She expressed fear of people not wanting to move to the neighborhood due to this kind of experience.

Kulezsa commented by saying the Commission heard that the car port was installed and they suggested changes to match the style of the home. After the design fixes were made, there was a breakdown of communication and that is way the Commission as pursued to follow-up today. President Kulezsa expressed that the Commission wants to work with the homeowner, look at the plans and does not want the process to seem as if they are "picking on anybody". Kulezsa suggested that if you have all this information, to move forward, resubmit the COA and have the Commission view the project.

Dr. Boudouris stated his past experience, and Commissioner Sondgeroth's comments as a reason not wanting to communicate with the Commission. Kurt Wahl stated that building permits must be filed for projects like this. President Kulezsa commented on the process of altering building structures has to be followed, and the process of resubmitting the COA to the Historic Preservation Commission. Dr. Boudouris questioned if this process is true and Spitznagle confirmed the process stated by Kulezsa and Wahl just stated. Dr. Boudouris expressed his frustration further, explaining a Commissioner from the Historic Preservation Commission approached Dr. Boudouris' wife and "verbally dressed her down...to the point of tears" and later Chandler Poole came to their home saying "the office of the Mayor apologizes for the behavior of this Commission...and we are sorry". Boudouris ended his comments by expressing his frustration with the Commission. Kulezsa commented by saying that behavior is not only happened with the Commission, but neighbors spying on other neighbors as well, which is not acceptable. Kulezsa stated that he is willing to work with the homeowner, especially if there is any financial burden prohibiting the construction being done. President Kulezsa also explained that to obtain the most transparency, his actions are on constrained to the formal process of the Commission. Boudouris stated he would like to move forward and if the current paperwork would be acceptable. Kurt Wahl asked if Boudouris would like to retrain the slope and if so, needs to be resubmitted as the slope was not approved by the Commission. Wahl asked to resubmit the redesign with historic homes with sloped roof lines, the Commission will look at that. Boudouris summed up his experience, stated that he wants to do things the right way, and publically thanked Dale Dixon and Chad Spitznagle for their communication with this

project. Boudouris said he will resubmit a new design. Kuleza thanked Boudouris for coming to the Commission meeting, and apologized for the past experience with the Commission.

Community Outreach

Kuleza spoke on the many events that have been occurring due to Phase Two of the ordinance. Kuleza spoke about the Commission's two letters that were sent explaining the ordinance. He continued to express the true role of the Commission and how to build a better community and continue outreach to the neighborhood. After speaking with Mayor Dennis, it was suggested to hold a public forum to better express the role of the Commission and hold the forum next month. He further explained why the ordinance was broken into phases. Commissioner Lowenberg-DeBoer stated that next month may not be the best time as many homeowners are not in town. She also spoke about the difficulties finding the ordinance online. Kuleza mentioned he would be up for two forums, as he wanted one forum before Phase Two of the ordinance goes into effect. Kuleza also talked about the community and the Commission needs to act in good faith. Kuleza spoke about neighbors spying on other properties.

Commissioner Lowenberg-DeBoer, the newer member of the Commission, expressed concern about the Commissioner's behavior in speaking to the homeowner at 306 E. Stadium Ave. She also questioned if the Kuleza and the Commission knew about their actions. Kuleza explained he knew that they spoke to the homeowner, but did not know the severity of how he spoke to the homeowner and expressed his concerns about that altercation.

Commissioner Curtis spoke about her concerns with the sloppy communication, in particular with the homeowners of 306 E. Stadium, as how she understood, everything was square. She continued to express concerns with communication between the city staff at the time, the Commission, and the neighborhood.

Chad Spitznagle suggested that there should be a flow chart or literature for the city to identify if future projects should go through the Commission or not. Dale Dixon reaffirmed that he will look into the website issue. Commissioner Martin suggested to hold a public forum in August, since many come back to town when school starts.

President Kuleza opened to public comment. Gary Schroeder spoke that the written minutes should reflect the tone, or the "flavor of the discussions" presented at these meetings. He also spoke about the comments made last Commission meeting, reading "we should fine them \$2500.00 and use that money to buy mulch for the playground and further discussion ensued and said we should not fine our neighbors". He also suggested making the historic district voluntary, explaining there are many houses that he does not consider historic at all or are in need of repair. Kuleza spoke stating the Commission does take into account buildings that are contributing and non-contributing. Schroeder also suggested postponing Phase Two of the ordinance.

Commissioner Martin spoke about the anonymous letter that was sent out to the historic neighborhood. She stated that she felt the letter slanted opinion and misinformed the public. President Kuleza spoke about the timing of the letter being sent out, pointing out that it was sent during a holiday weekend. He continued by commenting on the false statements in the letter, such as the Commission must approve paint color. Commissioner Curtis mentioned attending the West Lafayette Farmers Market as an opportunity to inform the public. Kuleza summed up by stating that the Commission needs to do a better job at communicating with the community. Commissioner Martin asked how the Commission notifies the community about the public forum. Dale Dixon explained that the City will notify the public through its

channels and possibly do a press release. Kulezsa asked if the Commission can send a letter to the historic district, which Dale Dixon said it can be done. Kulezsa asked if there is written literature for any new homeowner moving to the historic district. Commissioner Lowenberg-DeBoer mentioned the resources on the city website is available for anyone to review. Chad Spitznagle echoed the need for a written document or flow chart, since building permits are issued through the Department of Engineering. Kulezsa reminded the Commission that a new sub-committee was formed to address community outreach. He continued by summing the plan of action moving forward: schedule public forums next month, when school is back in session, send a letter notifying the community about the public forums, literature for new property owners and update the website so the ordinance is easily found. Dustin Zufall joined the discussion and suggested that in the letter that will be sent out should provide a small list of what the Commission needs to approve and actions that do not need approval of the Commission.

Officer Nominations

Kulezsa began by notifying the Commission there needs to be a President, Vice President and Secretary. He stated that he would be willing to be President of the Commission for another year. Commissioner Martin asked what are the rules for positions and the length Commissioners needed to stay in particular positions. Kulezsa spoke that those rules does not affect these positions due to the resignations that occurred. Voting for these positions will occur next meeting. Commissioner Martin moved for the nomination of President, Vice President, and Secretary be the same individuals that are currently holding those positions for a second term.

Staff Report

Kurt Wahl spoke in regards to 472 North Salisbury. Chad Spitznagle, Dale Dixon, and Kurt Wahl emailed about the demolished concrete steps and replace the steps with a wood deck. Questions were raised if there needs to be a COA for this work. Wahl suggested that there needs to be a COA as the type of work is similar to adding a car port or addition, so a COA would be required. Wahl brought this matter in front of the Commission for their positions. Applicant for 472 North Salisbury approached the commission with photos to show the steps.

Commissioner Lowenberg-DeBoer stated she is fairly new to the Commission and read the ordinance and asked if the Commission has the authority to deal with all houses in the district, or just houses that have been surveyed and deemed historic. Wahl and Kulezsa both clarified that the Commission handles all houses in the historic district. Wahl explained that properties in the historic neighborhood have been classified as contributing, non-contributing, notable, and outstanding. There is a list that states this in an interim report dated 1974. Kulezsa explained that those classifications does not affect the need of a COA, but those classification play a role in the decisions of approving a COA. Kulezsa continued speaking on applying of COA's. Commissioner Martin asked if Commission needs to consult with the interim report dated 1974 to know if a property is historic nor not. Wahl stated that is the only list and he has updated a list from walking the neighborhood. Commissioner Curtis spoke about a recent home she sold on Littleton and how she restored the siding prior to selling the home. She continued by stating she agrees at the Commission should consult with the interim report dated 1974. Kulezsa continued saying that any home in the historic neighborhood needs to apply for a COA. Dustin Zufall spoke in regards to the removed concrete steps and how they were failing and repairs were needed to be done to the house. Zufall asked how detailed to the detailed design for the COA. Wahl stated nothing too detailed, so long as the

intent of what is wished to be done can be deciphered. Zufall asked if there needs to be something temporary installed, such as a platform. Chad Spitznagle stated concerns approving a temporary structure as it needs to meet code. Kulezsa asked if these steps and the future deck is at the back of the house. Zufall said yes. Commissioner Curtis and Kurt Wahl asked if these steps and deck will be seen from the street or alley. Zufall stated no as there is a two car garage and work shed that blocks the view. Commissioners Martin and Curtis both stated that Phase Two is not in effect and COA is not needed. Kulezsa asked if Zufall can work with the city and with Wahl so that the deck would match the home.

Commissioner Curtis spoke about the small school house at the corner of Highway 231 and Cumberland Avenue. Commissioner Curtis met with the Mayor, Lynn Cason, Lisa Decker who represented the Franciscan Hospital, Bev Shaw, Sue Iller, and others about preserving this school house. A few sites are being considered, such as near the Celery Bog, but would need to travel "cross country" rather than the street. Lynn Cason stated that he owned property near the current site of the school that the school can be moved to if the Franciscan group would contribute the funds that would be used to demolish the school. Commissioner Curtis explained that this small school will be likely saved. She continued to say that a small group will be working to secure grants to cover the cost of moving, which would be nearly \$85,000.

Dale Dixon spoke in regards to the anonymous letter. He explained the city worked hard on vetting the letters to get correct numbers of letters opposing phase two of the ordinance. Dixon continued by stating the deadline to oppose Phase Two of the ordinance was July 6th. All letters were marked when they were received, including letters that were post-marked up to July 6th, and then calculated the number of owners within the historic district to find the total the exact number of votes were for or against the ordinance. To stop Phase Two of the ordinance, there needs to be over 50% of property owners to oppose Phase Two. After calculating the total number of property owners, which came to be 563 individual property owners within the district, 179 property owners objected, which translates to 31.8% of owners objected.

Dale Dixon continued to speak in regards to the removal of walls for a garage at 512 N Salisbury. After last Commission meeting, Dale was directed to speak to the property owner, Thomas Eismin about the garage walls being removed. The homeowner explained that at the north wall, the grade was right at the top of the foundation, as well as termite and moisture damage was present on the north wall. There was also more termite damage on the south wall. The west wall was planned to be removed as a new door was going to be installed there. Dixon explained that there was a lack of communication between the homeowner, Department of Engineering, and the Commission on these changes to the approved COA. Dixon asked for the homeowner to put these changes in writing and present to the Commission at next Commission meeting. Kulezsa commented on why he asked for Dixon to speak to the home owner and reaffirmed that he does not want to fine the homeowner due to not communicating the changes made to the approved COA. He continued by stating that the Commission needs to be informed any changes that need to be made to approved COA's as the Commission is willing to work with the homeowners when changes need to be made. Homeowners need to inform the City as well. Chad Spitznagle asked what the City should do if they notice that the construction does not match the approved COA. Kulezsa stated that if it is not done in bad faith, approach them and explain that any changes made to the approved COA needs to be brought to the Commission. If the homeowner still ignores the approved COA, then look at pursuing the fine. Both Kulezsa and Wahl agreed that for 512 N Salisbury did not follow the approved COA in bad faith. Chad Spitznagle summed up by explaining the process Engineering follows for issues like this property.

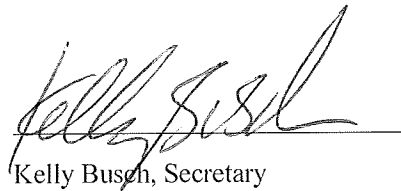
Commissioner Sweet spoke about a letter from Indiana Department of Natural Resources offering anyone within the historic district near Happy Hollow Heights, Sumac and others a certificate stating they live in a historic structure. Commissioner Sweet sent out a notification about this letter. Commissioner

Lowenberg-DeBoer explained that this letter is in regards to only homes in the Happy Hollow Heights historic neighborhood.

Commissioner Sweet also spoke about a home within the historic district about a home that will be advertised as an Air BnB and wanted to state his disapproval.

There was no public comment.

Meeting was adjourned at 8:00pm.

A handwritten signature in cursive script, appearing to read "Kelly Busch", is written over a horizontal line. Below the line, the text "Kelly Busch, Secretary" is printed in a standard sans-serif font.

Kelly Busch, Secretary